IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 8TH OCTOBER 2007 / 16TH ASWINA 1929

WP(C).No. 29624 of 2007(B)

PETITIONER:

DR.K.C.BABU, S/O CHERU,
CHERUTHURUTHY HOSPITAL,
CHERUTHURUTHY, THRISSUR DISTRICT.

BY ADV. SRI.RAJIT
SRI.RANJIT BABU

RESPONDENTS:

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1. THE DISTRICT COLLECTOR,
COLLECTORATE, AYYANTHOLE,
THRISSUR.

2. THE REVENUE DIVISONAL OFFICER,
COLLECTORATE, AYYANTHOLE, THRISSUR.

3. THE ASSISTANT EXECUTIVE ENGINEER,
P.W.D.ROADS SUB DIVISION, THALAPPILLY,
WADAKKANCHERY, THRISSUR.

BY ADV. SHRI.I.V.PRAMOD, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

WP(C) No. 29624 of 2007

Dated, this the 8th day of October, 2007

J U D G M E N T

The petitioner is aggrieved by Ext.P3 order requiring demolition of a portion of the building under his possession. The only point raised is that the order is likely to be implemented forthwith and therefore sufficient opportunity should be given to hear him and to file an appeal against Ext.P3.

2. I have heard learned Government Pleader also in the matter.

3. The request of the petitioner is that he is justified, in as much as, he is entitled to pursue the appellate remedy available to him under the Kerala Land Conservancy Act, which has been denied to him.

4. In view of the above, I dispose of this writ petition directing that Ext.P3 order shall be kept in abeyance for a period of one month from today and in the meanwhile, it is for the petitioner to move appeal and to seek appropriate orders from the appellate authority.

(ANTONY DOMINIC, JUDGE.)

jg